

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

EVAN AMBER OVERTON, and
JOHN KEENAN OVERTON, Co-
Administrators For The Estate
Of Ezra Michael Overton,
Deceased,

Plaintiffs,

v.

Case No.: 1:19-cv-751

FISHER-PRICE, INC.,

and

MATTEL, INC.

Defendants.

DEFENDANTS FISHER-PRICE, INC. AND MATTEL, INC.'S TRIAL WITNESS LIST

Pursuant to Rule 26(a)(3)(A), and the Court's Scheduling Order (Dkt. 15) in this case, Defendants Fisher-Price, Inc. ("Fisher-Price") and Mattel, Inc. ("Mattel") (collectively "Defendants") submit the following list of witnesses who may be called to testify at trial. Defendants reserve the right to supplement and/or amend this list, and to call live, by video, by deposition, or by other transcript any of the witnesses listed below. The final list of witnesses Defendants ultimately present at trial is dependent on a number of factors, including without limitation (a) the outcome of any pending or subsequent motions, (b) the witnesses and evidence Plaintiffs present during their case-in-chief; and (c) the overall trial schedule and availability of Defendant's witnesses. Subject to those considerations, and without waiving their right to call additional witnesses who are not identified on the list below, Defendants may present the following witnesses at trial:

I. DEFENDANTS' CORPORATE WITNESSES

- 1. Kitty Pilarz**
c/o Lori G. Cohen
Greenberg Traurig, LLP
3333 Piedmont Road, NE, Suite 2500
Atlanta, GA 30305
- 2. Linda Chapman**
c/o Lori G. Cohen
Greenberg Traurig, LLP
3333 Piedmont Road, NE, Suite 2500
Atlanta, GA 30305
- 3. Michael Steinwachs**
c/o Lori G. Cohen
Greenberg Traurig, LLP
3333 Piedmont Road, NE, Suite 2500
Atlanta, GA 30305
- 4. Chuck Scothon**
c/o Lori G. Cohen
Greenberg Traurig, LLP
3333 Piedmont Road, NE, Suite 2500
Atlanta, GA 30305

II. RETAINED EXPERT WITNESSES

- 1. Dotty Drago, M.A., M.P.H.**
Drago Expert Services/Engineering Systems Inc.
11 Brookside Ave.
Plymouth, MA 02360
- 2. Christine Fuller, M.D.**
Cincinnati Children's Hospital
Department of Pathology
3333 Burnet Avenue,
Cincinnati, OH 45229-3026
- 3. Jay P. Goldsmith, M.D.**
Tulane Pediatrics
4700 South 1-10 Service Road West
Metairie, LA 70001

4. **Andre Lloyd, Ph.D.**
Crane Engineering/Engineering Systems Inc.
2355 Polaris Lane North, ste. 120
Plymouth, Minnesota 55447
5. **Anne Mathias, P.E.**
Safety and Risk Assessment Practice Group
4215 Campus Drive
Aurora, Illinois 60504
6. **Peggy Shibata, M.S., P.E.**
Engineering Systems Inc.
1174 Oak Valley Drive
Ann Arbor, MI 48108
7. **Amy Wilson, Ph.D.**
Charlottesville Psychological Associates
100 East South Street, Suite 5
Charlottesville, Virginia 22902

III. PLAINTIFFS, FAMILY AND FRIENDS, AND OTHER FACT WITNESSES

1. **Evan Amber Overton**
c/o Michael G. Phelan, Esq.
PHELAN PETTY, PLC
6641 West Broad Street, Ste 406
Richmond, VA 23230
2. **John Keenan Overton**
c/o Michael G. Phelan, Esq.
PHELAN PETTY, PLC
6641 West Broad Street, Ste 406
Richmond, VA 23230
3. **Fred Dowdell, III**
2121 North Westmoreland Street
Arlington, VA 22213
4. **Leia Dowdell**
2121 North Westmoreland Street
Arlington, VA 22213
5. **Tonya Overton**
5577 Vincent Gate Terrace, Unit 1437,
Alexandria, VA 22312

6. **Michael Overton**
5577 Vincent Gate Terrace, Unit 1437,
Alexandria, VA 22312
7. **Jackie Lynn** (neighbor identified by Plaintiffs)
Address unknown
8. **TJ James** (neighbor identified by Plaintiffs)
Address unknown
9. **Jesse Thornton**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
10. **Terry Leach**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
11. **John Scaman**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
12. **Thomas Thompson**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
13. **John Vickery**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
14. **G. Kirk**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
15. **Mitch Johnson**
Fairfax County Police Dep't
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Fairfax, VA 22035

16. **David Koenigsberg**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
17. **Ron Haugsdahl**
Fairfax County Police Dep't
12099 Government Center Pkwy
Fairfax, VA 22035
18. **Michael Snapp**
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19. **Deonte Smith**
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20. **Kerri Bouse**
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21. **Peter Torres**
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22. **Ronald Kuley**
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23. **Laura Calkins**
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Fairfax, VA 22035
24. **Kevin Steinhilber**
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Fairfax, VA 22035

25. **Christopher Tilles**
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Fairfax, VA 22035
26. **Jocelyn Posthumus, M.D.**
Office of the Chief Medical Examiner
Northern Region
10850 Pyramid Place, Suite 121
Manassas, VA 20110
27. **Michelle Schepis**
Office of the Chief Medical Examiner
Northern Region
10850 Pyramid Place, Suite 121
Manassas, VA 20110
28. **Melissa Pope**
Office of the Chief Medical Examiner
Northern Region
10850 Pyramid Place, Suite 121
Manassas, VA 20110

IV. **TREATING PHYSICIANS**

A. ***EZRA OVERTON'S TREATING PHYSICIANS***

1. **Sudha L. Kumar, M.D.**
Virginia Hospital Center
1701 North George Mason Drive
Arlington, VA 22205
2. **Launice Melbourne, M.D.**
Virginia Hospital Center
1701 North George Mason Drive
Arlington, VA 22205
3. **Brian Stone, M.D.**
Virginia Hospital Center
1701 North George Mason Drive
Arlington, VA 22205
4. **Ukeme Ukoh, M.D.**
Virginia Hospital Center
1701 North George Mason Drive
Arlington, VA 22205

5. **Helen Yoon, M.D.**
Virginia Hospital Center
1701 North George Mason Drive
Arlington, VA 22205
6. **Ebony Richards, M.D.**
Kaiser Permanente Pediatrics Springfield
6501 Loisdale Court
Springfield, VA 22150
7. **Matthew Straley, M.D.**
ALL Pediatrics
Alexandria Office
1500 North Beauregard Street
Alexandria, VA 22311
8. **Linda Hestvik, C.P.N.P.**
ALL Pediatrics
Alexandria Office
1500 North Beauregard Street
Alexandria, VA 22311

B. EVAN AMBER OVERTON'S TREATING PHYSICIANS

9. **Sonya Adam, M.D.**
Kaiser Permanente Springfield
6501 Loisdale Court
Springfield, VA 22150
10. **Megan Fullen, L.C.S.W.**
Kaiser Permanente Burke Medical Center
5999 Burke Commons Road
Burke, VA 22015
11. **Bethanne Miller, M.D.**
Virginia Hospital Center
1701 North George Mason Drive
Arlington, VA 22205
12. **Carole Shaddad, M.D.**
Kaiser Permanente Burke Medical Center
5999 Burke Commons Road
Burke, VA 22015

13. **Jeanine Wilson, L.C.S.W.**
Kaiser Permanente Burke Medical Center
5999 Burke Commons Road
Burke, VA 22015

C. EVAN AMBER OVERTON & KEENAN OVERTON'S TREATING PHYSICIANS

14. **Janis Manalang, EdD, LPC, MS**
The Key Center
21155 Whitfield Place, #206
Sterling, VA 20165

V. RESERVATIONS

1. Defendants reserve the right to call certain employees, agents, or representatives of Defendants listed above in Section I who may provide expert opinions regarding matters within their respective knowledge, experience, and training.
2. Defendants reserve the right to call any witnesses necessary for impeachment or rebuttal.
3. Defendants reserve the right to call any of Defendants' employees or former employees deposed in this case or referenced in any deposition in this case.
4. Defendants reserve the right to call any of Defendants' employees or former employees identified by any party in their discovery responses, disclosures, or pleadings.
5. Defendants reserve the right to call any of Defendants' employees or former employees referenced in any document produced by Defendants.
6. Defendants reserve the right to call all witnesses identified in any deposition taken in this case.
7. Defendants reserve the right to call all fact witnesses identified in the medical records and employment records.
8. Defendants reserve the right to call all fact witnesses identified in Plaintiffs' discovery responses, disclosures, and pleadings.
9. Defendants reserve the right to call to testify all custodians of Plaintiffs' medical, psychiatric, insurance, employment records and all other records from any health care providers.
10. Defendants reserve the right to call other of Defendant's corporate representatives, agents, or employees necessary to rebut or respond to testimony, evidence or argument offered by Plaintiffs.

11. Defendants reserve the right to call all treating physicians and any other treating healthcare providers identified by Plaintiffs in their discovery responses, disclosures, pleadings, or in any deposition.
12. Defendants reserve the right to call all treating physicians and health care providers identified in any medical records.
13. Defendants reserve the right to call any witnesses identified by Plaintiffs in their witness list and discovery responses. Defendants further reserve the right to call witnesses necessitated by Plaintiffs' identification of certain witnesses and proposed evidence or by materials produced or identified subsequent to the date of this submission.
14. Defendants reserve the right to call all witnesses called by Plaintiffs at trial.

Dated: January 16, 2020

GREENBERG TRAURIG, LLP

/s/ Stephen Fowler

Stephen Fowler

Virginia Bar No. 44071

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*Counsel for Fisher-Price, Inc. and Mattel,
Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on January 16, 2020, I electronically filed the foregoing **DEFENDANTS FISHER-PRICE, INC. AND MATTEL, INC.'S TRIAL WITNESS LIST** with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to all attorneys of record.

/s/ Stephen Fowler

Stephen Fowler

Virginia Bar No. 44071

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